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Attorney Docket No. GALA-06415

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Robert D. Bremel et al.

Serial No.:

09/897,006

Filed: Entitled: 06/29/01

Examiner: Host Cell Containing Multiple Integrating Vectors

Group No.:

1648

Mosher

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Assistant Commissioner for Patents Washington, D.C. 20231

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Dated: March 13, 2003

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Enclosed please find an Information Disclosure Statement and Form PTO-1449, including copies of the references contained thereon, for filing in the U.S. Patent and Trademark Office.

A check for \$180.00 is also enclosed pursuant to 37 C.F.R. § 1.17(p) for filing this Information Disclosure Statement after three months as set forth in 37 C.F.R. § 1.97(c).

The Commissioner is hereby authorized to charge any additional fee or credit overpayment to our Deposit Account No. 08-1290. An originally executed duplicate of this transmittal is enclosed for this purpose.

Dated: March 13, 2003

Mitchell Jones

Registration No. 44,174

03/18/2003 ZJUHAR1 00000085 09897006

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MEDLEN & CARROLL, LLP 101 Howard Street, Suite 350 San Francisco, California 94105

608/218-6900



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Gregory Bleck

Serial No.:

Filed:

Entitled:

09/897,005

06/29/01

Expression Vectors

Group No.: 1648

Examiner: Mosher

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INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents Washington, D.C. 20231

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Sir or Madam:

The citations listed below, copies attached, may be material to the examination of the above-identified application, and are therefore submitted in compliance with the duty of disclosure defined in 37 C.F.R. §§ 1.56 and 1.97. The Examiner is requested to make these citations of official record in this application.

The following printed publications are referred to in the body of the specification:

- U.S. Patent No. 5,721,121
- U.S. Patent No. 5,914,267
- U.S. Patent No. 5,686,120
- U.S. Patent No. 6,136,597
- U.S. Patent No. 5,994,136
- U.S. Patent No. 6,013,516
- U.S. Patent No. 6,027,722
- U.S. Patent No. 5,958,775
- U.S. Patent No. 5,968,785

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- U.S. Patent No. 5,965,443
- U.S. Patent No. 5,719,055
- U.S. Patent No. 5,173,414
- U.S. Patent No. 5,225,347
- U.S. Patent No. 6,034,228
- U.S. Patent No. 6,030,822
- U.S. Patent No. 6,030,788
- U.S. Patent No. 6,020,306
- U.S. Patent No. 6,013,455
- U.S. Patent No. 6,013,464
- U.S. Patent No. 6,015,807
- U.S. Patent No. 5,976,853
- U.S. Patent No. 5,994,074
- U.S. Patent No. 6,004,791
- U.S. Patent No. 5,981,251
- U.S. Patent No. 5,976,852
- U.S. Patent No. 5,958,719
- U.S. Patent No. 5,955,592
- U.S. Patent No. 5,952,212
- U.S. Patent No. 4,946,778
- U.S. Patent No. 6,074,859
- U.S. Patent No. 5,976,796
- U.S. Patent No. 5,674,713
- U.S. Patent No. 5,618,682
- U.S. Patent No. 5,627,058
- U.S. Patent No. 5,922,601
- U.S. Patent No. 4,743,548
- U.S. Patent No. 4,677,066
- U.S. Patent No. 5,149,645
- U.S. Patent No. 5,508,184
- U.S. Patent No. 5,914,267

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- U.S. Patent No. 6,025,192
- U.S. Patent No. 5,512,421
- U.S. Patent No. 5,994,136
- U.S. Patent No. 6,187,287
- U.S. Patent No. 5,139,941
- U.S. Patent No. 5,843,742
- U.S. Patent No. 5,866,400
- U.S. Patent No. 4,767,704
- U.S. Patent No. 4,657,866
- U.S. Patent No. 4,927,762
- U.S. Patent No. 5,122,469
- U.S. Patent No. 4,560,655
- U.S. Patent No. 5,670,113
- U.S. Patent No. 5,807,689
- U.S. Patent No. 5,876,946
- U.S. Patent No. 6,027,875
- U.S. Patent No. 5,512,443
- U.S. Patent No. 5,993,813
- U.S. Patent No. 5,892,019
- U.S. Patent No. 5,874,540
- WO99/14310
- WO 93/03143
- EP 117058
- WO 92/01070
- WO 93/03769
- WO 90/03430
- WO 87/00195
- Mielke et al., Biochem. 35:2239-52 [1996]
- Schroder and Friedl, Biotech. Bioeng. 53(6):547-59 [1997]
- Weidle et al., Gene 66:193-203 [1988]

- McBurney et al., Somatic Cell Molec. Genet. 20:529-40 [1994]
- Allen et al., Plant Cell 5:603-13 [1993]
- Mehtali *et al.*, Gene 91:179-84 [1990]
- Kricker et al., Proc. Natl. Acad. Sci. 89:1075-79 [1992]
- Dorer and Henikoff, Cell 77:993-1002 [1994]
- Anderson and Young, Quantitative Filter Hybridization, in Nucleic Acid
 Hybridization [1985]
- Sambrook, J. et al., Molecular Cloning: A Laboratory Manual, 2nd ed., Cold Spring Harbor Laboratory Press, New York (1989) pp.16.9-16.15
- Maniatis et al., Science 236:1237 [1987]
- Voss et al., Trends Biochem. Sci., 11:287 [1986]
- Dijkema et al., EMBO J. 4:761 [1985]
- Uetsuki et al., J. Biol. Chem., 264:5791 [1989]
- Kim et al., Gene 91:217 [1990]
- Mizushima and Nagata, Nuc. Acids. Res., 18:5322 [1990]
- Gorman et al., Proc. Natl. Acad. Sci. USA 79:6777 [1982]
- Boshart et al., Cell 41:521 [1985]
- Sambrook et al., Molecular Cloning: A Laboratory Manual, 2nd ed., Cold Spring Harbor Laboratory Press, New York [1989], pp. 16.7-16.8
- Zwizinski et al., J. Biol. Chem. 255(16): 7973-77 [1980]
- Gray et al., Gene 39(2): 247-54 [1985]
- Shelling and Smith, Gene Therapy 1:165-169 [1994]
- Zhou et al., J. Exp. Med. 179:1867-1875 [1994]
- Han et al., Proc. Natl. Acad. Sci. USA 88:4313-4317 [1991]
- Uhlmann et al., Chem. Rev. 90:543-584 [1990]
- Helene et al., Biochim. Biophys. Acta. 1049:99-125 [1990]
- Agarwal et al., Proc. Natl. Acad. Sci. USA 85:7079-7083 [1989]
- Heikkila et al., Nature 328:445-449 [1987]
- Cech et al. (1992) J. Biol. Chem. 267:17479-17482
- Kotin, Human Gene Therapy 5:793-801 [1994]

- Berns, K.I. "Parvoviridae and their Replication" in Fundamental Virology, 2nd Edition, (B.N. Fields and D.M. Knipe, eds.)
- Ullrich and Schlessinger, Cell 61:203-212 [1990]
- Neer, 1995, Cell 80:249-257 [1995]
- Stermweis and Smrcka, Trends in Biochem. Sci. 17:502-506 [1992]
- Carbonneau, H. and Tonks, Annu. Rev. Cell Biol. 8:463-93 [1992]
- Saito et al., Cell Growth and Diff. 2:59-65 [1991]
- Krueger et al., Proc. Natl. Acad. Sci. USA 89:7417-7421 [1992]
- Köhler and Milstein, Nature 256:495-497 [1975]
- Kozbor et al. Immunol. Today 4:72 [1983]
- Cole et al., in Monoclonal Antibodies and Cancer Therapy, Alan R. Liss, Inc., pp. 77-96 [1985]
- Huse et al., Science 246:1275-1281 [1989]
- deWet et al., Mol. Cell. Biol. 7:725 [1987]
- Graham et al., J. Gen Virol., 36:59 [1977]
- Mather, Biol. Reprod. 23:243-251 [1980]
- Mather et al., Annals N.Y. Acad. Sci., 383:44-68 [1982]
- Evans et al., Handbook of Plant Cell Culture, 1: 124-176, MacMillan Publishing Co., New York [1983]
- Binding, Plant Protoplasts, p. 21-37, CRC Press, Boca Raton [1985]
- Potrykus and Shillito, *Methods in Enzymology*, Vol. 118, Plant Molecular Biology, A. and H. Weissbach eds., Academic Press, Orlando [1986]
- Hoess et al., Nucleic Acids Res. 14:2287-2300 [1986]
- O'Gorman et al., Science 251:1351-55 [1991]
- van Deursen et al., Proc. Natl. Acad. Sci. USA 92:7376-80 [1995
- Miller and Baltimore Mol. Cell. Biol. 6:2895 [1986]
- Markowitz et al., J. Virol. 62:1120 [1988])
- Miller et al., Mol. Cell. Biol. 10:4239 [1990]
- Martial et al., Science 205: 602-607 [1979]

Applicants have become aware of the following printed publications which may be material to the examination of this application:

- U.S. Patent No. 5,168,062
- U.S. Patent No. 5,385,839
- U.S. Patent No. 5,858,740
- U.S. Patent No. 5,948,675
- U.S. Patent No. 6,051,427
- U.S. Patent No. 6,255,071
- U.S. Patent No. 6,333,195
- U.S. Patent No. 6,410,316
- U.S. Patent No. 6,331,415
- U.S. Patent No. 4,816,567
- U.S. Patent No. 6,319,707
- U.S. Patent No. 6,368,862
- U.S. Patent No. 4,937,190
- U.S. Patent No. 6,061,427
- U.S. Patent No. 5,834,256
- U.S. Patent No. 5,686,279
- U.S. Patent No. 5,817,491
- U.S. Patent No. 5,591,624
- U.S. Patent No. 5,716,832
- U.S. Patent No. 6,080,912
- U.S. Patent No. 6,291,740
- U.S. Patent No. 5,215,904
- U.S. Application No. 2001/0018203
- U.S. Application No. 2001/0043921
- U.S. Application No. 2001/0034393
- WO 99/43795;
- Rogers et al., Strategies 13:97-99 (2000)
- Felts et al., Strategies 13:15-18 (2000)
- Felts et al., Strategies 12:74-77 (1999)

- Miller, Nature 357: 455 [1990]
- Adams et al., Proc. Natl. Acad. Sci. USA 89:8981 [1992]
- Mastromarino et al., J. Gen. Virol. 68:2359 [1977]
- Burns et al. Proc. Natl. Acad. Sci. USA 90:8033 [1993]
- Roe et al., EMBO J. 12:2099 [1993]
- Naldini *et al.*, Science 272:263 [1996]
- Carter, B.J., Current Opinion in Biotechnology 3:533-539 [1992]
- de la Cruz *et al.*, J. Bact. 175: 6932-38 [1993]
- Craig, Curr. Topics Microbiol. Immunol. 204: 27-48 [1996]
- Morisato and Kleckner, Cell 51:101-111 [1987]
- J. Immunol. Methods (1983)56:221-234 [1983], Animal Cell Culture: A
 Practical Approach 2nd Ed., Rickwood, D. and Hames, B. D., eds. Oxford
 University Press, New York [1992]
- Wilson et al., Cell, 37:767 [1984]
- Schroeder and Neagle, J. Biomol. Screening 1:75-80 [1996]
- Denyer et al., Drug Discov. Today 3:323-32 [1998]
- Gonzales et al., Drug. Discov. Today 4:431-39 [1999]
- Graham and Van der Eb, Virol. 52:456 [1973]
- Goff et al., J. Virol. 38:239 [1981]
- Quade, Virol. 98:461 [1979]
- Yee et al., Meth. Cell Biol. 43:99 [1994]
- Chen and Okayama (Mol. Cell. Biol., 7:2745, 1987
- Shillito, et al., Plant Cell Reports, 2, 244-247 (1983)
- Harlow and Lane, Antibodies: A Laboratory Manual, Cold Spring Harbor
 Laboratory Press, Cold Spring Harbor, NY
- Brun *et al.*, Intervirol, 38:274 (1995)
- Masters et al., Virol. 171:285 (1990)
- Mebatsion et al., J. Virol. 69:1444 (1995)
- Scheper et al., Biochem. 76: 801-809 [1994]
- Meyer et al., J. Virol. 69: 2819-2824 [1995]
- Jang et al., 1988, J. Virol. 62: 2636-2643 [1998]

- Haller et al., J. Virol. 66: 5075-5086 [1995]
- Lebkowski *et al.*, Molec. Cell. Biol. 8:3988-3996 [1988]
- Vincent et al., Vaccines 90 [1990]
- Carter, Current Opinion in Biotechnology 3:533-539 [1992]
- Muzyczka, Current Topics in Microbiol. and Immunol. 158:97-129 [1992];
- Wang et al., Gene 182:145-150 (1996)
- Vaillancourt et al., Strategies 13:50-53 (2000)
- Han et al., PNAS 88:4313-4317 (1991)

The references below were cited in the corresponding PCT Application PCt/US01/20714 International Search Report dated 25/06/02

- U.S. Patent No. 5,850,000
- WO 93/02108
- WO 94/24870
- WO 96/11013
- WO 94/05786
- Poul et al., Immunotechnology, Elsevier Science Publishers BV, NL 1:189-196 (1995)
- Zufferey et al., J. of Virology 73:2886-2892 (1999)

The Examiner's attention is especially directed to the following references contained in the IDS:

- U.S. Pat. No. 6,319,707 to Adam et al.
- U.S. Pat. No. 6,136,597 to Hope et al.
- U.S. Pat. No. 6,410,316 to Sheridan et al.
- U.S. Pat. No. 6,333,195 to Respess et al.
- U.S. Pat. No. 6,255,071 to Beach et al.
- U.S. Pat. No. 6,051,427 to Finer et al.
- U.S. Pat. No. 5,512,421 to Burns et al.

U.S. Pat. No. 5,627,058 to Ruley et al.

U.S. Pat. No. 5,866,400 to Palsson et al.

U.S. Pat. No. 5,922,601 to Baetscher et al.

U.S. Pat. No. 6,080,912 to Bremel et al.

U.S. Pat. No. 5,591,624 to Barber et al.

U.S. Pat. No. 5,817,491 to Yee et al.

U.S. Pat. No. 4,937,190 to Palmenburg et al.

WO 94/05786 to Eichner et al.

WO 94/24870 to Le Guern et al.

WO 93/03143 to French et al.

Rogers et al., Strategies 13:97-99 (2000)

Felts et al., Strategies 13:15-18 (2000)

Felts et al., Strategies 12:74-77 (1999)

Vaillancourt et al., Strategies 13:50-53 (2000)

This Information Disclosure Statement under 37 C.F.R. §§ 1.56 and 1.97 is not to be construed as a representation that a search has been made, that additional information material to the examination of this application does not exist, or that any one or more of these citations constitutes prior art.

Dated: <u>March 13, 2003</u>

J. Mitchell Jones

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